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17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

20 Ilsa Saravia, as next friend for A.H., a
minor, and on her own behalf, et al.,

21 Petitioners/Plaintiffs, on behalf of
22 themselves individually and others
similarly situated,

23 v.

25 Jefferson B. Sessions, et al.,

26 Respondents/Defendants.

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Case No. 3:17-cv-03615-VC

STIPULATION AND [PROPOSED] ORDER
TO ADVANCE HEARING ON PLAINTIFFS'
MOTION TO LIFT STAY

(CIVIL L.R. 6-2)

WHEREAS, on February 14, 2018, the Court stayed all district court proceedings (other than enforcement of the preliminary injunction) pending the outcome of the Ninth Circuit appeal in this case, *see* Dkt. 137; and

WHEREAS, on March 1, 2018, Plaintiffs have filed their Motion to Lift Stay, which under Local Rule 7-2(a) would ordinarily be noticed for a hearing on April 5, 2018; and

WHEREAS, the issues addressed in the Motion are relatively straightforward and do not require resolution of complex issues of fact or law; and

WHEREAS, the Motion is approximately 7.5 pages long, which is half the 15 pages permitted under the Court's Standing Order for Civil Cases; and

WHEREAS, under Local Rule 7-3(a), the Government has until Thursday, March 15, 2018, to file its opposition to the Motion; and

WHEREAS, in the event the Court approves this Stipulation, Plaintiffs agree to waive their right to file a reply brief in support of their Motion to Lift Stay; and

WHEREAS, for the reasons stated in the Motion and in the accompanying Declaration of Stephen B. Kang, Plaintiffs believe that there are urgent reasons for lifting the stay in this case, and that those reasons also warrant advancing the hearing date for their Motion; and

WHEREAS, Defendants dispute that there are urgent reasons for lifting the stay, but nonetheless agree to advance the hearing date on Plaintiffs' Motion in order to seek prompt resolution of this issue from the Court; and

WHEREAS, advancing the hearing date on Plaintiffs' Motion will not affect any other deadlines in this case because all proceedings other than enforcement of the preliminary injunction are currently stayed.

STIPULATION

NOW, THEREFORE, the parties, through their undersigned counsel, STIPULATE and AGREE, and request the Court to order, as follows:

- 1 1. Following the filing by Plaintiffs of the Motion no later than March 1, 2018,
2 Defendant shall file their brief in opposition to the Motion within the time normally
3 allowed under Civ. L.R. 7-3(a), that is, by March 15, 2018;
4 2. Plaintiffs shall not file a reply in support of the Motion;
5 3. The hearing on the motion shall be set for the Court's motion calendar at 10:00 a.m.
6 on March 22, 2018.

7

8 Dated: March 1, 2018 */s/ Stephen B. Kang*
9 Stephen B. Kang
10 Attorneys for Petitioners/Plaintiffs

11 Dated: March 1, 2018 */s/ Sarah Fabian*
12 Sarah Fabian
13 Attorneys for Defendants

14 **[PROPOSED] ORDER**

15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16 
17 Dated: March 7, 2018 _____
18 VINCE CHHABRIA
19 United States District Judge

ATTESTATION

Pursuant to Civil L.R. 5-1(i)(3) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from the other signatories.

Dated: March 1, 2018 /s/ Stephen B. Kang
Stephen B. Kang